

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

April 22, 2015

The meeting was called to order at 4:00 p.m. by Chair Barbara Thomas at 3600 Constitution Blvd., West Valley City, Utah

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Harold Woodruff, Brent Fuller, Clover Meaders, and Barbara Thomas

ABSENT

Jack Matheson, Terri Mills, Latai Tupou, and Martell Winters

WEST VALLEY CITY PLANNING DIVISION STAFF

Steve Pastorik, Kevin Despain, and Nichole Camac

AUDIENCE

Approximately four (4) people were in the audience

CONDITIONAL USE APPLICATIONS

C-15-2015

BKP Dental Development

4071 S 4000 W

Dental and Professional Office Building

RM zone, 0.72 acres

Background

This site was originally approved for a dental and professional office building by the Planning Commission on January 29, 2014 as application, C-59-2013. The Conditional Use ordinance, 7-7-109 (1) states, *“Within 12 months from the date the Planning Commission hears and approves a conditional use application, the applicant shall substantially comply with all the conditions of the conditional use approval. Substantial compliance shall be demonstrated by obtaining a current building permit and commencing construction.”*

A building permit was submitted on August 7, 2014. The permit was not finalized or issued before January 29, 2015. Consequently, the conditional use approval, C-59-2013, expired.

The property owners would like to complete the project. This application is a request for conditional use approval for the same use, dental and professional office.

Property and Use

This site is located at 4071 W 4000 W. The subject property is zoned ‘RM’, residential multifamily. This zone allows professional offices as a conditional use. The zone precludes retail or other commercial uses. The property to the south recently developed as a retail building and is zoned ‘C-1’, neighborhood commercial. The properties across the street to the west are also zoned ‘C-1’. To the east, is a home converted to business uses and is zoned ‘RB’, residential business. Directly to the north is a daycare which also has RM zoning. The northeast portion adjoins a residential neighborhood zoned ‘R-1-8’, single-family residential. The West Valley City General Plan calls for Non-Retail Commercial on this property.

Site and Parking

The building proposed contains 9,762 square feet of useable space. 7,683 square feet is proposed on the main floor with 2,079 square feet on the upper level on the east side. The current allocation of floor space is 6,057 square feet of dental office and 3,705 square feet of professional office. Per the parking ordinance, 39 stalls would be required. The site plan shows 41 stalls.

Landscaping and Screening

The RM zone does not have specific requirements regarding landscaping. As part of a conditional use, the Planning Commission may require additional landscaping. Since this site functions as a neighborhood commercial property additional landscaping in the 10 foot buffer adjacent to the residential neighborhood is recommended. The C-1 ordinance requires 20 percent of the gross area to be landscaped, which the site will incorporate. One tree per 300 square feet of landscaping is required for yards adjacent to residential. The Planning Commission may consider additional screening if deemed

appropriate. The wood fence along the east property line is in need of repair as well as the chain link fence along the north property line. A six foot masonry wall will be required along the portion adjacent to residential. The six foot height is measured from the final grade of the parking lot.

The final elevations meet the commercial design standards. The applicant is proposing to place the mechanical equipment on the ground to the north with sufficient screening.

Staff Alternatives

Approval, subject to the resolution of any concerns raised at the public hearing as well as the following conditions:

1. Additional landscaping shall be provided in the 10 foot landscaped area adjacent to residential, which shall include at least one tree per 30 feet.
2. Existing fencing along the north and east property line that is not required shall be repaired, replaced, or removed.
3. The architectural elevations shall meet the Commercial Design Standards.
4. All requirements and concerns of all agencies and departments are to be met.

Continuance, to allow for the resolutions of any issues raised at the public hearing.

Applicant:

Phung Chau

Discussion: Kevin Despain presented the application. Brent Fuller asked who owns the existing fencing. Kevin replied that he is unsure.

Phung Chau, the applicant, had nothing further to add. Barbara Thomas asked if there is any concern about building the new fencing. Ms. Chau replied no.

Motion: Commissioner Woodruff moved for approval subject to the 4 staff conditions.

Commissioner Fuller seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Meaders	Yes
Commissioner Woodruff	Yes
Chairman Thomas	Yes

Unanimous-C-15-2015- Approved

C-16-2015

JRS Leasing

4671 W 3500 S (REAR)

Multi-tenant Auto Repair Building

C-2 zone, 0.53 acres

This application has been continued at the request of the applicant, Errol Bevan, in order to resolve some issues and to update plans. He has requested the application be continued until the May 13th hearing.

Staff Alternatives:

Continuance, for applicant to resolve concerns raised at the public hearing

Applicant:

N/A

Opposed:

Dora Smith
4666 W Villa View Dr. #D

Opposed:

Barbara Arden
3549 S Villa View Dr. #B

Discussion: Barbara Thomas stated this item has been continued at the request of the applicant. She indicated that it was noticed so the Planning Commission is open to public input if anyone would like to speak.

Dora Smith, a neighbor, stated that the property is separated by a concrete fence from a senior living community. She indicated that there is significant noise, a guard dog, and lots of trash associated with the business. Ms. Smith stated that working hours are early mornings to late evenings which is a significant problem to residents living near the business. She indicated that she would request that the applicant be denied and added that this is not an appropriate location for an auto repair business.

Barbara Arden, a neighbor, stated that there have been many problems with the previous owner as well as the current one. She indicated that there are loud noises at night and she has had to contact the police multiple times. Ms. Arden stated that the building experienced a fire which blew out windows in her home that she was forced to replace. She indicated that she doesn't feel this type of business should be allowed to operate at this location.

Ms. Smith stated that there have been reports of drug activity and stolen cars on the property as well.

Motion: Commissioner Woodruff moved for continuance.

Commissioner Meaders seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Meaders	Yes
Commissioner Woodruff	Yes
Chairman Thomas	Yes

Unanimous-C-16-2015- Continued

C-17-2015

H & A Auto

3695 W 2150 S #3

M Zone (0.52 acres; subject unit: 3,010 square feet)

Approved Use: Auto Sales

The applicant, Housen Khalil representing H & A Auto, requests a conditional use amendment for auto sales at 3695 W 2150 S #3. The site is zoned M, Manufacturing and classified as light manufacturing in the West Valley City General Plan. Auto Sales is a conditional use within this zone.

The tenant space is 3,010 total square feet. There is currently one other business occupying the other two-thirds of the building. The applicant is an auto dealer that intends to acquire vehicles to sell on site and online. According to the applicant, only operable vehicles will be brought to the site which will be displayed within the building. The interior space is large enough to contain as many as 10 cars. There will be no auto repair or detailing conducted at this site. Any type of repairs on vehicles will have been done off-site and prior to the vehicle being transported.

The storage of vehicles within a building is allowed provided that the Fire Code and Building Code are met.

The site provides 19 parking stall. There are 10 stalls along the building and 9 stalls along the north landscape buffer. This use requires 5 parking stalls for customers and employees. The site has adequate parking to accommodate the proposed use.

As a dealer, the Division of Motor Vehicles requires a 24 square foot sign indicating the dealer's license number. The applicant has not completed the design of the sign, but will acquire the necessary permits if required.

Staff Alternatives:

Approval, subject to the resolution of any concerns raised at the public hearing as well as the following conditions:

1. The approved use is Auto Sales. No auto repair or detailing shall be done.
2. Only operable vehicles shall be stored and displayed.
3. The site shall conform to the requirements of the International Building Code (IBC), the International Fire Code (IFC), and National Fire Protection Association (NFPA)
4. All requirements of affected departments and agencies must be met including the West Valley City Fire Department.
5. All signage shall comply with the West Valley City Sign Ordinance, including all temporary signs.
6. This use is subject to review upon a valid complaint.

Continuance, for applicant to resolve concerns raised at the public hearing.

Applicant:

Housen Khalil

Discussion: Kevin Despain presented the application. Housen Khalil stated that all cars in the building will be operable. The Planning Commission had no further questions or concerns.

Motion: Commissioner Fuller moved for approval subject to the 6 staff conditions.

Commissioner Meaders seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Meaders	Yes
Commissioner Woodruff	Yes
Chairman Thomas	Yes

Unanimous-C-17-2015- Approved

PLANNING COMMISSION BUSINESS

Approval of Minutes from April 8, 2015 (Regular Meeting) **Continued**
Approval of Minutes from April 15, 2015 (Study Session) **Approved**

There being no further business, the meeting adjourned at 4:19 p.m.

Respectfully submitted,

Nichole Camac, Administrative Assistant